

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33948 of 2026

Arising Out of PS. Case No.-48 Year-2026 Thana- MADHEPUR District- Madhubani

Indradev Yadav Son of Tejnarayan Yadav Resident of Village- Murli, P.S.-
Phulparas, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bhavesh Kumar Sah
		Mrs. Archana Aanand
For the Opposite Party/s :		Mr. Abhay Kumar

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 21-05-2026 Heard learned counsel for the parties through
virtual mode.

2. The petitioner is apprehending his arrest in connection with Madhepur P.S. Case No.48 of 2026, F.I.R. dated 20.02.2026, registered for the offences punishable under Section 30(a) of Bihar Prohibition & Excise Act.

3. As per the prosecution case, on 20.02.2026 the informant along with the police personnel was conducting patrolling and surveillance against liquor traders in view of the Holi festival. On the basis of confidential information received, police apprehended two persons namely Vivek kumar Sah and Ramnarayan, and 20.535 liters of illicit liquor was recovered from the scooty bearing registration no BR-32AW1920. During



interrogation, accused Vivek Kumar Sah confessed that he used the scooty for liquor trade and that the liquor was procured from Indradev Yadav with the help of co-accused Ramnarayan Mahto.

4. Learned counsel for the petitioner submits that the recovery has been made from a scooty and name of the petitioner has been transpired in the present case merely on the basis of confession of co-accused Vivek Kumar Sah. It is the case of the petitioner that nothing has been recovered from the constructive possession of this petitioner and merely on the basis of antecedents, the petitioner has been implicated in this case. It is further submitted that the petitioner has no concern with the said scooty. Petitioner has five criminal antecedents, in which he is on bail and is ready to abide by all terms and conditions as may be imposed by this Court while granting the privilege of anticipatory bail.

5. Learned counsel for the petitioner, on instructions, and without accepting his guilt, proposes to deposit a sum of Rs. 5000/- (Rupees Five Thousand only) in the welfare account of the Advocates' Association of the Patna High Court.

6. Regard being had to the submissions made by the parties, and taking into consideration the fact that the illicit



liquor has not been recovered from the constructive possession of the petitioner, this Court is inclined to grant anticipatory bail to the petitioners.

7. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge Excise act, Jhanjharpur in connection with Madhepur P.S. Case No.48 of 2026 subject to the condition as laid down under Section 482(2) of the B.N.S.S., 2023 and on production of the receipt showing deposit of Rs.5000/- as proposed on behalf of the petitioner..

(Ajit Kumar, J)

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